

Applicant : Huitao Luo  
Serial No. : 10/694,143  
Filed : Oct. 27, 2003  
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Attorney's Docket No.: 200310055-1  
Amendment dated Aug. 2, 2007  
Reply to Office action dated May 3, 2007

### **Amendments to the Drawings**

The attached Appendix contains replacement and annotated sheets of drawings that include changes to FIG. 4. In particular, the second instance of the label "Feature Set 1" has been replaced by the label "Feature Set 2" in accordance with the teachings in the specification on page 6, lines 5-13.

Appendix: Replacement Sheet  
Annotated Sheet Showing Changes

## Remarks

### I. Status of claims

Claims 1-36 were pending.

Claim 37 has been added

### II. Claim rejections under 35 U.S.C. § 112

The Examiner has rejected claims 6 and 7 under 35 U.S.C. § 112, second paragraph, for indefiniteness. In particular, the Examiner has stated that:

Claim 6 claims target object region which is based on a first set of features and the quality feature vector is based on a second set of features and the first and second are different. But, the image quality feature vector represents the target object region as claimed in claim 1, these two limitations contradict each other and therefore, makes the claim indefinite.

There is, however, no contradiction between claim 6 and claim 1. In particular, the specification explains that, in some embodiments, a target object (e.g., a human face) in an input image may be detected based on objective measurements (e.g., low-frequency spectral image components) that are different from the measurements that may be used to objectively assess image quality (e.g., high-frequency spectral image components) (see, e.g., page 3, lines 15-24 and page 6, lines 5-13, of the specification)

For at least this reason, the rejection of claim 6 under 35 U.S.C § 112, second paragraph, should be withdrawn.

The rejection of claim 7 under 35 U.S.C. § 112, second paragraph, also should be withdrawn for at least the same reasons.

### III. Claim rejections under 35 U.S.C § 103

#### A. Claims 1-5, 8, 15-17, 18-21, and 28-35

The Examiner has rejected claims 1-5, 8, 15-17, 18-21, and 28-35 under 35 U.S.C. § 103(a) over U.S. 7,068,841 (hereinafter the "Luo patent").

As established by the attached Declaration under 37 CFR § 1.132, the Luo patent does not qualify as prior art under 35 U.S.C. § 103(a) because the sole inventor of the Luo patent is the same sole inventor of the instant application (see, e.g., MPEP § 715.01(c).I).

For at least this reason, the rejection of claims 1-5, 8, 15-17, 18-21, and 28-35 under 35 U.S.C. § 103(a) over the Luo patent should be withdrawn.

B. Claims 9-11

The Examiner has rejected claims 9-11, 22-24, and 36 under 35 U.S.C. § 103(a) over the Luo patent in view of Adams (“Reversible integer to integer wavelet transform for image compression; performance evaluation and analysis”).

Since the rejection of each of claims 9-11, 22-24, and 36 relies on the disclosure of the Luo patent, the rejection of claims 9-11, 22-24, and 36 under 35 U.S.C. § 103(a) over the Luo patent in view of Adams should be withdrawn because the Luo patent is not prior art for the reasons explained above.

C. Claims 12-14 and 25-27

The Examiner has rejected claims 12-14 and 25-27 under 35 U.S.C. § 103(a) over the Luo patent in view of Chen (“Image quality measurement based on statistics of activity regions”).

Since the rejection of each of claims 12-14 and 25-27 relies on the disclosure of the Luo patent, the rejection of claims 12-14 and 25-27 under 35 U.S.C. § 103(a) over the Luo patent in view of Chen should be withdrawn because the Luo patent is not prior art for the reasons explained above.

IV. Conclusion

For the reasons explained above, all of the pending claims are now in condition for allowance and should be allowed.


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Respectfully submitted,

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